



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

<b>Applicants:</b>	Luis A. Costa, et al.	<b>Examiner:</b>	Unassigned
<b>Serial No.:</b>	10/692,897	<b>Group Art Unit:</b>	Unassigned
<b>Filed:</b>	October 24, 2003	<b>Docket:</b>	17175
<b>For:</b>	USE OF A PHOSPHOLIPASE A2 FOR THE PREPARATION OF PHARMACEUTICAL AND/OR COSMETIC COMPOSITIONS FOR THE LOCAL AND/OR SYSTEMATIC TREATMENT AND/OR PREVENTION OF DISEASES AND/OR PROCESSES CAUSED BY INTRA-AND EXTRACELLULAR PATHOGENS EXPRESSING MEMBRANE PHOSPHOLIPIDS	<b>Dated:</b>	01/16/04

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

Sir:

In accordance with 37 C.F.R. §§ 1.97 and 1.98, it is requested that the following references, which are also listed on the attached Form PTO-1449, be made of record in the above-identified case.

1. International Publication No. WO 98/10776, published March 19, 1998;
2. French Publication No. 2 722 692, published January 26, 1996, together with English Language Abstract;

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**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents  
Alexandria, VA 22313-1450 on January 16, 2004.

Dated: January 16, 2004

  
\_\_\_\_\_  
Frank S. DiGiglio

3. David Fenard, et al., "A Peptide Derived from Bee Venom-Secreted Phospholipase A<sub>2</sub> Inhibits Replication of T-Cell Tropic HIV-1 Strains via Interaction with the CXCR4 Chemokine Receptor", Molecular Pharmacology, Vol. 60, No. 2, pp. 341-347, (2001);
4. European Publication No. 0 246 861 A2, published November 25, 1987;
5. International Publication No. WO 89/01773, published March 9, 1989;
6. U.S. Patent No. 5,232,911, issued August 3, 1993 to Juan C. Vidal;
7. International Publication No. WO 91/01740, published February 21, 1991;  
and
8. International Publication No. WO 02/085391 A1, published October 31, 2002.

Reference Nos. 1 – 7 were cited in an International Search Report dated June 18, 2002. The relevance of these references has been described in the International Search Report also attached. Applicants are submitting copies of the references.

In accordance with the waiver of 37 C.F.R. § 1.98 (a)(2)(i), per 1276 OG 55, August 5, 2003, applicants are not required to submit a copy of the above-cited U.S. Patent reference.

Consideration of this Information Disclosure Statement is respectfully requested, since the art provided may be material to the examination of the present application as defined under 37 C.F.R. §1.56.

Inasmuch as this Information Disclosure Statement is being submitted in accordance with the schedule set out in 37 C.F.R. § 1.97(b), no statement or fee is required.

Respectfully submitted,



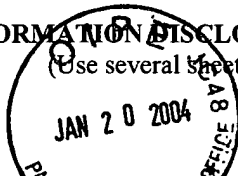
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FSD/RLB:nis



<b>INFORMATION DISCLOSURE STATEMENT</b> (Use several sheets if necessary) 	Atty. Docket No.	17175	Serial No.	10/692,897
	Applicant			
	Luis A. Costa, et al.			
	Filing Date	October 24, 2003	Group	Unassigned

**U. S. PATENT DOCUMENTS**

EXAMINER'S INITIAL*	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE (if appropriate)
	5232911 A,	08/03/93	Juan C. Vidal			

**FOREIGN PATENT DOCUMENTS**

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
	1	WO 8901773 A	03/09/89	PCT				
	2	WO 9101740 A	02/21/91	PCT				
	3							
	4							

**OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)**


EXAMINER

DATE CONSIDERED

\* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<b>TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT</b> (Under 37 CFR 1.97(b) or 1.97(c))			Docket No. 17175	
In Re Application Of: Luis A. Costa, et al.				
Serial No. 10/692,897	Filing Date October 24, 2003	Examiner Unassigned	Group Art Unit Unassigned	
Title: USE OF A PHOSPHOLIPASE A2 FOR THE PREPARATION OF PHARMACEUTICAL AND/OR COSMETIC COMPOSITIONS FOR THE LOCAL AND/OR SYSTEMATIC TREATMENT AND/OR PREVENTION OF DISEASES AND/OR PROCESSES CAUSED BY INTRA-AND EXTRACELLULAR PATHOGENS EXPRESSING MEMBRANE PHOSPHOLIPIDS				
Address to: Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450				
<b>37 CFR 1.97(b)</b>				
1. <input checked="" type="checkbox"/> The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.				
<b>37 CFR 1.97(c)</b>				
2. <input type="checkbox"/> The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of:				
<div style="margin-left: 40px;"> <input type="checkbox"/> the statement specified in 37 CFR 1.97(e);         </div>				
<b>OR</b>				
<div style="margin-left: 40px;"> <input type="checkbox"/> the fee set forth in 37 CFR 1.17(p).         </div>				

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT**

(Under 37 CFR 1.97(b) or 1.97(c))

Docket No.

17175

In Re Application: Luis A. Costa, et al.

Serial No.

10/692,897

Filing Date

October 24, 2003

Examiner

Unassigned

Group Art Unit

Unassigned

USE OF PHOSPHOLIPASE A2 FOR THE PREPARATION OF PHARMACEUTICAL AND/OR  
COMPOSITIONS FOR THE LOCAL AND/OR SYSTEMATIC TREATMENT AND/OR PREVENTION OF  
AND/OR PROCESSES CAUSED BY INTRA-AND EXTRACELLULAR PATHOGENS EXPRESSING  
MEMBRANE PHOSPHOLIPIDS

**Payment of Fee**

(Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))

- ☐ A check in the amount of \_\_\_\_\_ is attached.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. **19-1013/SSMP**  
as described below.
- ☐ Charge the amount of \_\_\_\_\_
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Signature of Person Mailing Correspondence

Frank S. DiGiglio

Typed or Printed Name of Person Mailing Certificate

\*This certificate may only be used if paying by  
deposit account.

Dated: January 16, 2004

Frank S. DiGiglio

Registration No. 31,346

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